IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

| EOLAS TECHNOLOGIES INCORPORATED | § | |
|---|---|------------------------------|
| | § | |
| Plaintiff, | § | |
| V. | § | |
| | § | CIVIL ACTION NO. 6:09-cv-446 |
| ADOBE SYSTEMS INC.; | § | |
| AMAZON.COM, INC.; APPLE INC.; | § | |
| BLOCKBUSTER INC.; CDW CORP.; | § | JURY TRIAL DEMANDED |
| CITIGROUP INC.; eBAY, INC.; | § | |
| FRITO-LAY, INC.; | § | |
| THE GO DADDY GROUP, INC.; | § | |
| GOOGLE INC.; J.C. PENNY COMPANY, INC.; | § | |
| JPMORGAN CHASE & CO.; | § | |
| NEW FRONTIER MEDIA, INC.; | § | |
| OFFICE DEPOT, INC.; PEROT SYSTEM CORP.; | § | |
| PLAYBOY ENTERPRISES INTERNATIONAL, | § | |
| INC.; RENT-A-CENTER, INC.; STAPLES, INC.; | § | |
| SUN MICROSYSTEMS INC.; | § | |
| TEXAS INSTRUMENTS INC.; | § | |
| YAHOO! INC.; and YOUTUBE, LLC | § | |
| | § | |
| Defendants. | § | |
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<u>MOTION FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE</u> RESPOND TO PLAINTIFF'S COMPLAINT FOR PATENT INFRINGEMENT

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, Playboy Enterprises International, Inc. ("Playboy") and, without waiving any defenses described or referred to in Rule 12 of the Federal Rules of Civil Procedure, hereby moves the Court to extend the time within which Playboy is required to move, answer or otherwise respond to Plaintiff's Complaint for Patent Infringement up to and including December 17, 2009.

Playboy seeks this extension of time not for delay but for good cause and so that justice may be served.

Counsel for Plaintiff, Eolas Technologies Incorporated, does not oppose Playboy's request.

WHEREFORE, Defendant Playboy respectfully requests that the time to answer, move or otherwise respond to Plaintiff Eolas Technologies Incorporated's Complaint for Patent Infringement be extended to and including December 17, 2009.

Date: October 16, 2009 Respectfully submitted,

/s/ Avelyn M. Ross

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Attorneys for Defendant Playboy Enterprises International, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on October 16, 2009. Any other counsel of record will be served by first class mail on this same date.

/s/ Avelyn M. Ross
Avelyn M. Ross